



State of Utah

Department of Natural Resources

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Division of Oil, Gas & Mining

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September 26, 2005

Wilson G. Martin, State Historic Preservation Officer
DCED - State History Division
300 Rio Grande
Salt Lake City, Utah 84111

Subject: SHPO Concurrence for Emery Deep Mine, Consolidation Coal Company,
C/015/0015, Task ID #2321, Outgoing File

Dear Mr. Martin:

The Division of Oil, Gas and Mining is currently reviewing the "Full extraction mining" project for the Emery Deep Mine. The project is in Emery County, Utah, in Township 22 South, Range 6 East, Sections 27 and 28.

The proposal includes pulling pillars only in this area with the expectation of subsidence. The amount of cover over the mine panel is less than 100'. The Division, therefore, considers that the zone of impact caused by subsidence should not be greater than 100' from the panel boundary.

The area has been previously surveyed numerous times for historic resources. The results show that there are many historic resource sites including the Spanish Trail (488/11). The mine panel is at least 3000' southeast to a portion of the Spanish Trail. The mine panel parallels parts of the Christensen Wash.

The proposed project would not increase the permit or facility site areas. Subsidence caused from undermining operations would cause surface impacts.

The following provides pertinent information that may be useful during this consultation process. The list is not inclusive of all surveys of the area, but includes pertinent or current surveys:

M.S. Berry SHPO, 1975
F.R. Hauck AERC, 1980, Paper No. 24
F.R. Hauck AERC, 1981, Paper No. 33
K.R. Montgomery MAC, 2002, Permit No. 02-UT-60122.

The results of these surveys showed five historic resources adjacent deserve consideration. These sites include the following:

42EM1385 (historic farming)
42EM2822 (multi-component site including lithic scatter and trash)
42EM625 (rock shelter)
42EM626 (rock shelter)
42EM627 (lithic scatter).

The recommendations from the surveyors for sites 42EM625-627 include avoiding disturbance or excavating prior to disturbance. The recommendation for site 42EM1385 includes photographing the site prior to disturbance. Site 42EM2822 is eligible for inclusion in the NRHP and the recommendation includes avoiding disturbance.

The Division considers that the Permittee should not conduct additional surveys, evaluations, or mitigation of these sites for this amendment. The Division makes the determination that long-wall mining of this panel will have “no effect” because:

- There is no proposed facilities area.
- The five sites are greater than 400’ from the proposed panel as well as the subsidence zone.
- There is low probability of surface effects from subsidence at the sites.

The Division requests concurrence from the SHPO with our determination. Final decision concerning the proposed project will come after the Division receives a response from SHPO.

We would appreciate your response by October 23, 2005 so we may proceed with the review process. If you have any questions about this project, please call me at (801) 538-5268 or Jerriann Ernstsens at (801) 538-5214.

Sincerely,

Pamela Grubaugh-Littig
Permit Supervisor